

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: A. KATHLEEN TOMLINSON
U.S. MAGISTRATE JUDGE

DATE: 12/28/09
TIME: 10:30 AM

Cardenas, et al. v. 77 Smile Celaners, Inc., et al., CV 09-2867 (JFB) (AKT)

TYPE OF CONFERENCE: **TELEPHONE CONFERENCE**

APPEARANCES: Plaintiff Jonathan A. Bernstein
Defendant Robert D. Goodstein

THE FOLLOWING RULINGS WERE MADE:

This conference was set to discuss a dispute between the parties with regard to Defendants' proposed Stipulation of Confidentiality. After reviewing the submissions and hearing from counsel for the parties today, I have directed the following:

1. Defendants are to produce all of the documents it intends to produce in response to Plaintiffs' document demands no later than the deadline set forth in the Case Management and Scheduling Order. Whatever documents Defendants' counsel believes in good faith come within the parameters of Rule 26's protective order provisions will be stamped "confidential." The documents are then to be given as a whole to Plaintiffs' counsel.
2. Plaintiffs' counsel will review those documents and if there are no further issues, Plaintiffs' counsel will execute the Stipulation of Confidentiality accordingly, limited to the categories agreed upon as "confidential." If after such review Plaintiffs' counsel contends that any of the documents are inappropriately marked "confidential," Plaintiffs' counsel will conduct the good faith meet-and-confer required under Local Civil Rule 37.3 to resolve the issue. If the issue cannot be resolved after compliance with Rule 37.3, then Plaintiffs' counsel can seek the Court's intervention by way of letter motion.
3. It is understood by all parties that the tax returns of Defendants' business shall retain "confidential" status.

SO ORDERED

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge